

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**WASH OUMA,**

Plaintiff,

v.

**PORLAND STATE UNIVERSITY,**

Defendant.

Case No. 3:23-cv-01795-YY

**ORDER ADOPTING F&R**

Wash Ouma, Portland, OR. Pro se.

Erin M. Burris, Miller Nash LLP, 1140 SW Washington Street Suite 700, Portland, OR 97205.  
Attorney for Defendant Portland State University.

**IMMERGUT, District Judge.**

On February 26, 2024, Magistrate Judge Youlee Yim You issued her Findings and Recommendations (“F&R”), ECF 13, recommending that Portland State University’s Motion to Dismiss, ECF 6, be GRANTED. No party filed objections. This Court ADOPTS Magistrate Judge You’s F&R.

**STANDARDS**

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge's F&R, "the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act "does not preclude further review by the district judge, *sua sponte*" whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

## **CONCLUSION**

No party having filed objections, this Court has reviewed the F&R, ECF 13, and accepts Judge You's conclusions. Judge You's F&R, ECF 13, is adopted in full. Accordingly, this Court GRANTS Defendant's Motion to Dismiss, ECF 6, and DISMISSES this case without prejudice.

**IT IS SO ORDERED.**

DATED this 19th day of March, 2024.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge